

**Notice of Allowability**

Application No.

09/594,528

Examiner

Stefan Staicovici

Applicant(s)

LOUVIERE, KENT A.

Art Unit

1732

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the After-Final amendment filed 11/18/03 and the interview of 12/12/03.
2. ☒ The allowed claim(s) is/are 1, 3-6 and 8-19 (now renumbered as 1-17).
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
  - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.
  - (b) ☒ including changes required by the proposed drawing correction filed 09 January 2003, which has been approved by the Examiner.
  - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                       |
| 2 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                    | 6 <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No. <u>12/12/2003</u> . |
| 3 <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. _____  | 7 <input checked="" type="checkbox"/> Examiner's Amendment/Comment                               |
| 4 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|  | 9 <input type="checkbox"/> Other   |

***Response to After-Final Amendment***

1. Applicant's After-Final amendment filed November 18, 2003 will not be entered because an improper status identifier (Previously amended) has been used for claims 3, 5, 8-9, 16-17 and 19 under 37 C.F.R. 1.121.

**EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. C. Dean Domingue on December 12, 2003.

The application has been amended as follows:

- in the specification on page 1, line 9, after "1998", --, now U.S. Patent No. 6,101,791-- has been inserted.

- the claims have been amended as follows:

1. A method of manufacturing a plurality of encapsulated interconnected vials with a mold having a first member having attached thereto a plurality of core pins and wherein the method comprises:

- forming a plurality of cavity profiles linked together by a plurality of arms by contracting a first slide and a second slide from an extended position to a contracted position;

-inserting the plurality of core pins on said first member into said plurality of cavity profiles so that said plurality of core pins are free standing;

-injecting a plastic fluid about said plurality of core pins to form a plurality of interconnected vials;

-removing the plurality of interconnected vials from the mold;

-positioning the plurality of interconnected vials into a holder tray;

-placing a liquid into the plurality of interconnected vials;

-heat sealing an open end of the plurality of interconnected vials so that each of the plurality of interconnected vials forms a closed container that encapsulates the liquid, and wherein the step of heat sealing includes:

-clamping the plurality of interconnected vials into a heat sealing device;

-applying heat to the heat sealing device;

-measuring the temperature of the applied heat;

-measuring the time heat is applied to said heat sealing device.

6. A method of molding a plurality of interconnected vials with a mold, said mold comprising a first member having a first end and a second end; a manifold member operatively attached to said second end of said first member for channeling a plastic fluid to an insert means and said insert means containing a first slide and a second slide, with said first slide and said second slide having an extended position and a contracted position; a second member having a first end and a second end, and wherein said first end of said second member has attached thereto a plurality of core pins contained therein; the method comprising;

- heating a plastic so that the plastic is fluidized;
- injecting the plastic fluid into the manifold;
- contacting [moving said piston so that said first end of] said second member [contact] with said first slide and said second slide;
- injecting the plastic fluid through said first member;
- contracting said first slide and said second slide;
- forming a plurality of cavity profiles within said contracted first slide and said second slide and wherein said plurality of cavity profiles are in communication forming a plurality of arm contours;
- placing said plurality of core pins into said plurality of cavity profiles so that said plurality of core pins are free standing within said plurality of cavity profiles;
- injecting the plastic fluid into said plurality of cavity profiles and into said plurality of arm contours interconnected together via a plurality of arms;
- allowing the first slide and second slide to expand;
- ejecting the plurality of interconnected vials;
- placing the plurality of interconnected vials into a vial holder tray;
- placing a medicine within an open end of said plurality of interconnected vials;
- placing the open end of said plurality of interconnected vials within a heat sealer device;
- clamping said plurality of interconnected vials within said heat sealer device;
- applying heat to said heat sealer device.

*Reasons for Allowance*

3. The following is an examiner's statement of reasons for allowance: the prior art of record does not teach or suggest a method of molding a plurality of interconnected vials including, providing a plurality of core pins and an insert means containing a first slide and a second slide having an extended and a contracted position, contracting said first slide and second slide from an extended position to a contracted position to form a plurality of cavity profiles linked together by a plurality of arms, positioning said cores into said plurality of cavity profiles so that said plurality of core pins are free standing within said plurality of cavity profiles, injecting a plastic fluid about said plurality of core pins to form a plurality of interconnected vials, removing said plurality of interconnected vials, placing a liquid into said plurality of interconnected vials and heat sealing an open end of said plurality of interconnected vials such that each of said plurality of interconnected vials forms a closed container that encapsulates said liquid.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

*Conclusion*


4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stefan Staicovici, Ph.D. whose telephone number is (703) 305-

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0396 (until December 22, 2003) and (571) 272-1208 (after December 23, 2003). The examiner can normally be reached on Monday-Friday 8:00 AM to 5:30 PM and alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael P. Colaianni, can be reached at (703) 305-5493 and (571) 272-1196 (after December 23, 2003). The fax phone number for this Group is (703) 305-7718.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0661.

  
**STEFAN STACCONI, PHD**  
**PRIMARY EXAMINER**

12/14/03

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December 14, 2003